

IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF OREGON

MATTHEW RAUSCH and JASON  
REYNOLDS,

Case No. CV 01-1529 BR

Plaintiffs,

**ORDER GRANTING FINAL  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

v.

THE HARTFORD FINANCIAL  
SERVICES GROUP, INC. and  
HARTFORD FIRE INSURANCE  
COMPANY,

Defendants.

Plaintiff Jason Reynolds and Defendant Hartford Fire Insurance Company having jointly filed a Motion for Final Approval of Class Action Settlement (the "Motion");

The Court having previously entered the Order Granting Motion for Preliminary Approval of Class Action Settlement and Provisionally Certifying Settlement Class (the "Preliminary Approval Order"), dated September 11, 2006, in which the Court preliminarily approved the proposed settlement set forth in the Stipulation of Settlement (the "Settlement") as being within the range of a fair, reasonable and adequate settlement that is in the best interests of the class; preliminarily certified a Settlement Class divided into two Subclasses for settlement purposes; designated a Class Representative and Class Counsel; preliminarily enjoined the Settlement Class from "instituting, commencing, or continuing to prosecute, directly or indirectly . . . any of the claims that would be released and discharged upon final approval of the Settlement"; approved the proposed claims forms; established procedures for Class Members to opt out of or object to the proposed Settlement; and scheduled a Fairness Hearing for February 26, 2007, for the Court to determine whether the Settlement should be finally approved and judgment entered thereon;

The Court having previously entered the Notice Order, dated October 5, 2006, in which the Court approved the forms and method of disseminating the Mail Notice and Publication Notice (collectively, the “Notice Program”); found that the Notice Program constituted the best notice practicable under the circumstances and fully satisfied the requirements of due process and Rule 23 of the Federal Rules of Civil Procedure; approved the use of a toll-free telephone number and website to disseminate information about the Settlement to the Settlement Class; and ordered the parties to give notice to members of the Settlement Class pursuant to the Preliminary Approval Order and Notice Order;

The Court having previously entered the Claim Form Notice Order, dated November 2, 2006, in which the Court approved the forms of the Claim Notice, Reminder Letters, Reminder Envelope, and Reminder Telephone Message;

The Court having previously entered the Claim Notice Order, dated December 21, 2006, in which the Court approved the method of disseminating the Claim Notice and Reminder Telephone Message; and

The Fairness Hearing having been held on February 26, 2007, after notice to the Settlement Class, and the Court having fully considered the Motion, the submissions in support thereof, objections by members of the Settlement Class, and all papers filed with or submitted to the Court in connection with the proceedings in this action, and good cause appearing therefor;

**THE COURT HEREBY ORDERS AND FINDS AS FOLLOWS:**

1. The Court has subject matter jurisdiction over this action and all matters that relate to the Settlement.

2. The Court, for purposes of this Order, adopts all defined terms from the Settlement, unless otherwise defined in this Order.

3. The Court hereby confirms the certification of the following Settlement Class under Federal Rules of Civil Procedure 23(a) and 23(b)(3) for settlement purposes only:

All persons in the United States who initially purchased personal lines automobile insurance or homeowners insurance from Hartford Fire Insurance Company,

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Hartford Accident and Indemnity Company, Hartford Casualty Insurance Company, Hartford Underwriters Insurance Company, Twin City Fire Insurance Company, Pacific Insurance Company Limited, Hartford Insurance Company of Illinois, Trumbull Insurance Company, Hartford Lloyds Insurance Company, Hartford Insurance Company of the Midwest, Property and Casualty Insurance Company of Hartford, Sentinel Insurance Company, Ltd., Nutmeg Insurance Company, Hartford Insurance Company of the Southeast, Omni Insurance Company, or Omni Indemnity Company (collectively, “The Hartford Companies”) during the period of October 16, 1999 through July 17, 2003, and who did not qualify for a lower policy premium based in whole or in part on information contained in the person’s consumer credit report.

Excluded from the Settlement Class are: (a) persons who purchased personal lines automobile insurance or homeowners insurance policies for which credit was not used in underwriting (including, but not limited to, persons who purchased such policies in Alaska, California, Hawaii, and Nebraska, and persons who purchased such policies in New Hampshire before February 4, 2003); (b) any current officer, director, or employee of The Hartford Companies; (c) any former officer, director, or employee of The Hartford Companies who served during the period of October 16, 1999 through July 17, 2003; (d) any judge of the United States District Court for the District of Oregon; (e) any person who validly requested exclusion from the Settlement Class in accordance with the procedures established by the Court; and (f) any person included on a government list of known or suspected terrorists or other individuals, entities, and organizations of concern, including, but not limited to, persons appearing on the United States Department of the Treasury, Office of Foreign Assets Control List of Specially Designated Nationals and Blocked Persons.

4. The Court hereby confirms the certification of the following Settlement Subclasses under Federal Rules of Civil Procedure 23(a) and 23(b)(3) for settlement purposes only:

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Settlement Subclass A: All persons who are members of the Class and who initially purchased personal lines automobile insurance or homeowners insurance from one of The Hartford Companies on or after October 16, 1999 and before the New Notice Date (as defined in paragraph 5).

Settlement Subclass B: All persons who are members of the Class and who purchased personal lines automobile insurance or homeowners insurance from one of The Hartford Companies on or after the New Notice Date.

5. The term “New Notice Date” means: (a) May 1, 2002, for residents of Alabama, Arizona, Arkansas, Colorado, Connecticut, Delaware, District of Columbia, Florida, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Montana, Nevada, New York, Oklahoma, Pennsylvania, South Carolina, Utah, and Virginia; (b) June 4, 2002, for residents of Georgia, Maine, Maryland, Massachusetts (homeowners insurance only), Michigan, Minnesota, Mississippi, Missouri, New Jersey, and New Mexico; (c) July 2, 2002, for residents of North Carolina, North Dakota, Ohio, Oregon, Rhode Island, South Dakota, Tennessee, Texas, Vermont, Washington, West Virginia, Wisconsin, and Wyoming; and (d) February 4, 2003, for residents of New Hampshire.

6. Plaintiff Jason Reynolds and Plaintiff’s Counsel have fairly and adequately represented the Settlement Class and each of the Settlement Subclasses throughout this action.

7. The Court finds that the parties have fully implemented the Notice Program pursuant to the terms of the Preliminary Order and Notice Order.

8. As previously determined by the Court in the Notice Order, the Court finds that the Notice Program fairly, fully, accurately, and adequately advised members of the Settlement Class and each Settlement Subclass of all relevant and material information concerning the proposed settlement of this action, their rights under Rule 23 of the Federal Rules of Civil Procedure, and related matters, and afforded the Settlement Class with adequate time and an opportunity to file objections to the Settlement or request exclusion from the Settlement Class.

The Court finds that the Notice Program constituted the best notice practicable under the circumstances and fully satisfied the requirements of Rule 23 and due process.

9. After considering and weighing (a) the strengths and weaknesses of the plaintiff's case, (b) the considerable risk, expense, complexity, and likely duration of further litigation, (c) the risk of maintaining class action status throughout trial, (d) the substantial monetary and other benefits offered in settlement, (e) the amount of discovery completed and the advanced stage of the proceedings at the time of settlement, (f) the considerable experience and favorable recommendations of counsel, (g) the overwhelmingly positive reaction of the Settlement Class and each Settlement Subclass, and (h) the absence of any accusation or evidence of collusion among the settling parties, the Court finds the Settlement to be fair, reasonable, adequate, in the public interest, and in the best interests of the members of the Settlement Class and of each Settlement Subclass, and fully satisfies the standard for approval set forth in Rule 23(e)(1)(C) of the Federal Rules of Civil Procedure, and finally approves the Settlement in its entirety, as to the Settlement Class as a whole and as to each Subclass, and the parties are directed to consummate and implement the Settlement in accordance with its terms and provisions.

10. The claims process as provided by the orders previously entered by the Court and the plan to distribute the net proceeds of the Gross Total Settlement Amount (after payment of attorney's fees and expenses and any incentive award approved by the Court) on an equal *pro rata* basis to all members of Settlement Subclass A who submit valid claims are in all respects fair, reasonable, and adequate, and are approved. The term "Gross Total Settlement Amount" means the product of the multiplication of the number of members of Settlement Subclass A who submit valid claims times \$250.

11. The Court has considered each of the objections submitted by members of the Settlement Class and determines that each objection lacks merit and does not demonstrate that the Settlement, taken as a whole, is unfair, unreasonable, or inadequate. Each and every objection is overruled and denied in all respects.

12. The First Amended Complaint filed by Plaintiff is hereby dismissed with prejudice, without costs to any party.

13. As provided in the Settlement, the Settlement is in full settlement, compromise, release, and discharge of the Settled Claims and each of them, and the Released Parties have no further or other liability or obligation to any member of the Settlement Class or Releasing Persons with respect to the Settled Claims, except as expressly provided for in the Settlement. The release set forth in the Settlement and reflected in this Order has the scope provided for in the Settlement.

14. In order to protect the continuing jurisdiction of the Court and to protect and effectuate the Court's Judgment in this action, the Court, in the Judgment in this action, will bar and enjoin Plaintiff and all members of the Settlement Class, and anyone acting on their behalf (including, but not limited to, attorneys, representatives, and agents of any member of the Settlement Class), from instituting, commencing, or continuing to prosecute, directly or indirectly, as an individual or collectively, representatively, derivatively, or in any other capacity of any kind whatsoever, any action in this Court, any other federal court, any state court, or any other tribunal or forum of any kind, against any of the Released Parties, that asserts any claims that are Settled Claims.

15. The persons who have validly requested exclusion from the Settlement Class are not members of the Settlement Class and shall have no rights with respect to the Settlement and no interest in the Settlement, and shall not be bound by any order or judgment entered in respect of the Settlement. A list of those persons who have validly requested exclusion from the Settlement Class is attached hereto as Exhibit A.

16. The Court finds that the parties and their attorneys have complied with the requirements of Rule 11 of the Federal Rules of Civil Procedure throughout this litigation.

17. Without affecting the finality of this Order and the Judgment, the Court hereby reserves continuing and exclusive jurisdiction over all matters related to the administration and consummation of the terms of the Settlement, over any motions for supplemental judgments for

reimbursement of additional expenses incurred by Class Counsel, over the enforcement, construction, and interpretation of the Settlement, this Order, and the Judgment, including but not limited to, the provisions therein enjoining any further litigation of Settled Claims, and over Plaintiff and all members of the Settlement Class (and their attorneys and law firms) in connection herewith.

Dated: 27 February 2007

Anna J. Brown  
HON. ANNA J. BROWN  
United States District Court Judge

Respectfully submitted by:

BULLIVANT HOUSER BAILEY PC

SIDLEY AUSTIN LLP

By: [Signature]  
Loren D. Podwill  
Attorneys For Defendant  
Hartford Fire Insurance Company

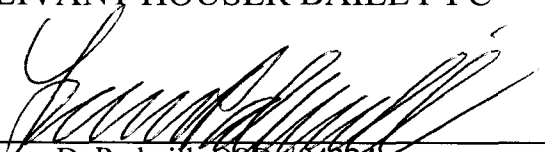
**CERTIFICATE OF SERVICE**

I hereby certify that on February 26, 2007, I caused a true and correct copy of the foregoing **ORDER GRANTING FINAL APPROVAL OF CLASS ACTION SETTLEMENT** to be served on the following persons by the method indicated below:

Steve D. Larson N. Robert Stoll Stoll Stoll Berne Lokting & Shlachter P.C. 209 SW Oak Street, Suite 500 Portland, OR 97204 Attorneys for Plaintiffs	(Via E-Mail)
Charles A. Ringo Charles Ringo Associates PC 974 NW Riverside Blvd. Bend, OR 97701 Attorneys for Plaintiffs	(Via E-Mail)

BULLIVANT HOUSER BAILEY PC

By

  
Loren D. Podwill, OSB #84324  
Attorneys For Defendant  
Hartford Fire Insurance Company



## EXHIBIT A

(List Of Settlement Class Members Requesting  
Exclusion From Settlement Class)

## Exclusion Requests

No.	First Name	Last Name	Subclass
1	JOHN	BAILEY	Subclass B
2	SALVATORE	BISCARDI	Subclass A
3	GARY	OLIVER	Subclass B
4	CAROL	LOWELL	Subclass B
5	HOMER	SWATHWOOD	Subclass B
6	VIOLA	NORMAN	Subclass B
7	JOHN	LANE	Subclass A
8	JUDY	TAYLOR	Subclass B
9	FREDDIE	ALLEN	Subclass A
10	RUBY	EKLUND	Subclass A
11	ERMINE	JACKSON SR	Subclass B
12	ALBERT	VAN HOOSE	Subclass B
13	JUDITH	WHITBECK	Subclass B
14	PETER	DANTONIO	Subclass A
15	RUTH	LAKER BECK	Subclass A
16	JOHN	SHEEHAN	Subclass A
17	ERIC	ISAACSON	Subclass A
18	LOIS	CRUM	Subclass A
19	ANNA	HORSEY	Subclass A
20	CAROLYN	DAVISON	Subclass A
21	ROLAND	DUROCHER	Subclass B
22	HARRY	NATTIER	Subclass B
23	FERN	RILEY	Subclass A
24	CHARLES	WATTERS	Subclass B
25	GOLDIE	KAGAN	Subclass B
26	DIAN	KEEN	Subclass A
27	JOHN	PAULK	Subclass A
28	CHERYL	LEE	Subclass A
29	WILLIAM	DICKERSON	Subclass A
30	MARLENE	MOSES	Subclass A
31	EDUARDO	PALOMO	Subclass A
32	CHARLES	ARNOLD	Subclass B
33	JANICE	PYLE	Subclass B
34	BARBARA	BROWN	Subclass B
35	STEVENSON	MOORE	Subclass B
36	HAROLD	SCHLEIFER	Subclass A
37	CAROLYN	CHASE	Subclass B
38	ALICE	WILLIAMS	Subclass A
39	GENEVA	JOINER	Subclass A
40	MARIE	THOMAS	Subclass B
41	JOANNE	MASTRELLI	Subclass A
42	GERTRUDE	SILVER	Subclass B
43	WILLIAM	NOBLES	Subclass B
44	CHARLOTTE	JOHNSON	Subclass A

EXHIBIT A

## Exclusion Requests

No.	First Name	Last Name	Subclass
45	RUTHINE	DANIEL	Subclass A
46	REBECCA	DAWES	Subclass B
47	CLEOPATRA	COX	Subclass A
48	TERRY	NUNEZ	Subclass A
49	CARL	JOHNSON	Subclass A
50	MATTHEW	TETER	Subclass A
51	DONNA	BROYLES	Subclass A
52	G	CUMMINGS	Subclass A
53	BARBARA	WARCHOL	Subclass A
54	NANCY	TEXTON	Subclass B
55	HAZEL	ROBERTS	Subclass B
56	JENNIFER	ABERNATHEY	Subclass A
57	JERALD	MANN	Subclass A
58	MARY	THERIOT	Subclass A
59	DORIS	DEAN	Subclass A
60	ANTON	EPP	Subclass A
61	DORIS	ERWIN	Subclass A
62	GLORIA	WILLIAMS	Subclass B
63	HOWARD	SHARROTT	Subclass A
64	MARGARET	MARTINEZ	Subclass A
65	WILLIAM	EHRlich	Subclass A
66	NANCY	LAWRENCE	Subclass A
67	MARY	WILLIAMS	Subclass B
68	BOBBY	FIVECOAT	Subclass A
69	JUDITH	GLYNN	Subclass A
70	EDWARD	DEMBA	Subclass A
71	SHIRLENE	AIME	Subclass A
72	VICTOR	RIZZI	Subclass A
73	JOHN	ROSS	Subclass B
74	JOHN	HURLEY	Subclass A
75	RAY	NORRIS	Subclass A
76	MATTHEW	MODLEY	Subclass B
77	NANCY	AQUILLA	Subclass B
78	GAIL	NEWSOME	Subclass A
79	MABEL	SHAMAS	Subclass A
80	RICHARD	CONANT	Subclass A
81	ANDREW	DROTT	Subclass A
82	TERRANCE	EVANS	Subclass B
83	AMELIA	SPEER	Subclass B
84	ALICE	ROUCH	Subclass A
85	AUGUST	NIEWALD	Subclass A
86	ROHANA	WOLF	Subclass B
87	PEARL	WOLF	Subclass B
88	SANDRA	GARVISON	Subclass A

EXHIBIT A

### Exclusion Requests

No.	First Name	Last Name	Subclass
89	NANCY	CHILDS	Subclass A
90	MARY	STANSBERRY	Subclass A
91	HERBERT	BRINKER	Subclass A
92	GARY	EHN	Subclass A
93	TIMOTHY	LUTHER	Subclass A
94	JOE	BASURTO	Subclass A
95	ZELDA	GIBEAU	Subclass A
96	WILLIAM	HaMEISTER	Subclass A
97	DAVID	MIERS	Subclass A
98	CHARLES	SCHROETLIN	Subclass A
99	SARAH	LAVERY	Subclass A
100	RICHARD	PRINCE SR	Subclass A
101	WELMA	BOYLE	Subclass A
102	VIRGINIA	FRENETTE	Subclass A
103	ARTHUR	GARCESASR	Subclass A
104	LINDA	MCCLELLAN	Subclass A
105	DAVID	RANK (ON BEHALF OF JEANNE A RANK)	Subclass A
106	RANDY	TODD	Subclass B
107	MELVIN	HAMILTON	Subclass A
108	SYLVIA	ALLEN	Subclass A
109	KENNETH	STONE	Subclass B
110	DOUGLAS	WHITE	Subclass B

EXHIBIT A